

02/07/01
J1036 U.S. PTO

02-09-01

JC973 U.S. PTO
09/779202
02/07/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-69850-1/DJB/RMS/DCF

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner: _____

Art Unit: _____

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NUMBER EL659498542US

DATE OF DEPOSIT February 7, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Vincent Diaz

SIGNED

Vincent Diaz

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☐ Continuation
☐ Divisional
☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Jian-Bing Fan and Xiang-Dong Fu, for NUCLEIC ACID
DETECTION METHODS USING UNIVERSAL PRIMING. This ☐ application ☐ continuation ☐ divisional
☒ continuation-in-part claims priority to provisional application Serial No. 60/180,810, filed on February 7,
2000 and provisional application Serial No. 60/234,731, filed on September 22, 2000.

1. (a) ☒ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☐ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
(d) ☐ Enclosed is a copy of the Declaration and Power of Attorney as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
(b) ☐ Enclosed is a copy of the prior Small Entity Affidavit as originally filed.
(c) ☐ A Small Entity Affidavit is of record in the prior application.

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Form 1.16b (1043094)

01/98

4. ___ The filing fee is calculated below: Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$355.00			\$690.00
Total Claims	___ - 20 =	<u> 0 </u>	___ x 9 =	\$ <u> 0 </u>	OR	___ x \$18 =	\$ _____
Indep Claims	___ - 3 =	<u> 0 </u>	___ x 39 =	\$ <u> 0 </u>	OR	___ x \$78 =	\$ _____
[] Multiple Depen Claims			+ \$135 =	\$ _____	OR	+ \$260 =	\$ _____
Total				<u>\$ _____</u>			<u>\$ _____</u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. ___ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. _____).

6. X No check is enclosed to pay the fee.

7. ___ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ___ Amend the specification by inserting before the first line the sentence:

9. (a) X Informal drawings are enclosed, 11 sheets.
(b) ___ Formal drawings are enclosed, ___ sheets.

10. (a) ___ Priority of application Serial No. ___ filed on ___ in ___ is claimed under 35 U.S.C. 119.
(b) ___ The certified copy has been filed in prior application Serial No. _ filed on _.

11. (a) ___ An Assignment is enclosed.
(b) ___ Enclosed is a copy of the prior assignment as originally filed.

12. ___ The prior application is assigned of record to _____.

13. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

- (a)___ The power appears in the original papers in the prior application.

(b)___ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) X Address all future communications to:

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

14. ___ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
15. ___ A Prior Art Statement is enclosed.
16. ___ I hereby verify that the attached papers are a true duplicate of prior application Serial No. ___ as originally filed on ___.

Date: February 7, 2001

David C. Zerbe Reg. No.: 44,685
for Robin M. Silva
Registration No. 38,304

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

X Attorney or agent of record

___ Filed under Section 1.34(a)

1043094